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FILED
COURT OF CRIMINAL APPEALS
2/9/2018
DEANA WILLIAMSON, CLERK

February 8, 2018

Hon. Marc Hamlin
District Clerk, Brazos County
300 East 26th Street, Ste. 1200
Bryan, Texas 77803

Re: Second Request for Supplemental Clerk's Record

No. 13-04695-CRF-272; State of Texas v. Kelsey Jo Lackey; In the 272nd District Court of Brazos County

No. 10-17-00016-CR; Kelsey Jo Lackey v. State of Texas; In the 10th Court of Appeals, Waco

No. PD-0748-17; Kelsey Jo Lackey v. State of Texas; In the Court of Criminal Appeals

Dear Mr. Hamlin:

I was retained to represent Kelsey Jo Lackey in the above-referenced appeal.

A clerk's record was filed with the Waco Court of Appeals on February 7, 2017 in the above-referenced cause no. 10-17-00016-CR containing 155 pages. When I later requested a copy of the clerk's record from your office, I was provided a clerk's record dated August 15, 2017 that contains 492 pages. The February 2017 clerk's record is the one presently on file with the Court of Criminal Appeals in the above-referenced cause no. PD-0748-17. I have come to learn that the February 2017 clerk's record is missing several of the contents required by Rule of Appellate Procedure 34.5(a). I previously requested supplementation of the clerk's record because of one of these omitted items, and a supplemental clerk's record was filed on February 7, 2018. I now request that you file a second supplemental clerk's record with the Court of Criminal Appeals containing the other omitted items required by Rule 34.5(a) that were not included in the February 2017 clerk's record. I have designated these items below.

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In accordance with Rule of Appellate Procedure 34.5(c), I request that you prepare and file with the Court of Criminal Appeals a supplemental clerk's record containing the following:

1. Complete copies of the court's docket sheet showing the entirety of the dates for the court's handwritten entries (on some of the sheets, the month and day were not scanned);
2. The court's order apparently signed on July 24, 2015 denying Defendant's First Motion to Quash and Dismiss the Indictment (the February 2017 clerk's record contains an email dated July 24, 2015 at page 23 referring to this signed order);
3. Judgment of Conviction for Count One entered on January 6, 2017;
4. Judgment of Conviction for Count Two entered on January 6, 2017, including conditions of community supervision;
5. State's Motion to Deny Bond and to Amend Trial Court's Certification of the Defendant's Right to Appeal filed on January 30, 2017 and/or February 6, 2017;¹
6. Defendant's Written Designation Specifying Matters for Inclusion in Clerk's Record filed March 6, 2017.

If any additional fees are owed, please let me know and I will take care of them.

Thank you in advance for your prompt attention to this matter. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

/s/ Alan Bennett
E. Alan Bennett

xc: Douglas Howell, III (via e-service)

¹ The copy of this pleading in the August 2017 clerk's record furnished to counsel for Mr. Lackey has 2 file stamps. Assuming the motions file stamped on these different dates are identical, only one need be included in the requested supplemental clerk's record.